CITY COUNCIL, CITY OF ROCKFORD JOURNAL OF PROCEEDINGS FEBRUARY 21, 2012 COUNCIL CONVENED AT 6:19 P.M.

1. The invocation was given by Reverend Herbert Johnson Jr., Liberty Baptist Church/ Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.

Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Absent: Elyea, Robertson -2-

3. Alderman Mark moved to accept the Journal of Proceedings of February 13, 2012, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Elyea, Robertson absent).

PUBLIC PARTICIPATION

- 4. Jim Buckingham shared his thoughts about Bruce Robert's comments from last week and apologized to Mayor Morrissey and Chief Epperson for failing to respond to an email sent to him a few months ago.
- 5. Prophet Yusef spoke about the power of faith.

PETITIONS AND COMMUNICATIONS

- 6. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Chicago-Rockford International Airport Eastern Access. Referred to Finance and Personnel Committee.
- 7. Alderman Beck submitted a Memorandum from Patrick Hayes, Legal Director, regarding Extension of Non-Home Rule Sales Tax for Infrastructure. Referred to Finance and Personnel Committee.
- 8. Alderman Johnson submitted a request for service at a home on Montana for possible code violations. Referred to Community Development/Code Enforcement.
- 9. Alderman Johnson submitted a request to adjust timing on traffic control at Manchester and Harrison Avenue. Referred to Traffic Commission.

NEW COMMITTEE REPORTS

10. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat #4 of Church and Roberts Addition. LAID OVER.

- 11. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat #2 of Ashchanjali Subdivision. LAID OVER.
- 12. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Westside Subdivision. LAID OVER.
- 13. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking 7:00 am 6:00 pm restriction on the east side of Ware Avenue from Argus Drive to Colosseum Drive, thus storing unrestricted parking on the east side of Ware Avenue from Argus Drive to Colosseum Drive and retaining the parking restriction of "No Parking from 7:00 am 6:00 pm" on the west side of Ware Avenue from Argus Drive to Colosseum Drive. LAID OVER.
- 14. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a Thirty Minute Parking restriction on the south side of Chestnut Street from Winnebago Street to Court Street, thus repealing the existing Two Hour Parking restriction. LAID OVER.
- 15. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance restricting parking to Handicapped Parking on the north side of Jefferson Street from 50 feet east of Church Street to 75 feet east of Church Street. LAID OVER.
- 16. Alderman Beach read a Code and Regulation Committee Report recommending that No Action be taken on the following items:
 - 1. Request from Nick Bowers to establish stop or yield control at the intersection of Liberty Drive and Vermont Street.

LAID OVER.

- 16a. Alderman Beach read a Code and Regulation Committee Report recommending that City Council approve the settlement in Cary v. City of Rockford, et al. in the amount of \$85,000 payable in two equal installments with the second installment payable in six months after the first installment with a release to be obtained. LAID OVER.
- 17. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Sale of Property at 628 Kent Street be made to the sole bidder, Aurelio Delarosa, of Rockford, Illinois for his total bid of \$2,000.00. LAID OVER.
- 18. Alderman Beck read a Finance and Personnel Committee Report recommending approval of a Sole Source Contract with the Hach Company for Scheduled Inventory Reagent Replacement in an amount not to exceed \$9,904.74 plus shipping. Funding for the project will come from the Water Operations Budget. LAID OVER.
- 19. Alderman Beck read a Finance and Personnel Committee Report recommending the Change Order: City-Wide Street Repair #1 be made to Stenstrom Excavation be

extended for an additional \$93,462.11 for a new total not to exceed cost of \$415,994.68 for construction services. The funding source is Sales Tax Funds. LAID OVER.

20. Alderman Beck read a Finance and Personnel Committee Report recommending approval of an Engineering Agreement with Baxter & Woodman Consulting Engineers to conduct a SCADA Security Assessment in an amount not to exceed \$23,300. Funding for the project will come from the Water Replacement and Improvement Account (WRIA). LAID OVER.

2012-050CR

21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Mobile Vent Prop be made to the low bidder, Fireblast 451, Inc., of Corona, CA for their total bid of \$41,100.00. The funding source is Federal Grant.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Elyea, Robertson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

22. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of February 21, 2012 in the amount of \$2,118,178.66. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

OFFICERS REPORTS

- 23. Mayor Morrissey referenced the City Council resolution from last fall on identical language of SB2073 and urged the aldermen to oppose this measure. He also suggested that if legislature proceeds, there should be added legislation that allows the City to reduce or restrict increases in labor and pension costs. A copy of the resolution is available upon request.
- 24. Alderman Hervey announced the 5th Ward meeting will be held this Thursday, February 23, 2012 at Klehm Arboretum, 2715 South Main Street. The regular meeting will begin at 6:00 pm followed by a presentation at 7:00 pm on municipal electrical aggregation program open to the entire community.
- 25. Alderman Thompson-Kelly commended the NAACP and city staff for the wonderful ceremony held at City Hall last Friday celebrating Black History Month. She also reminded everyone the RAMM Banquet will be held on February 24th and the Tuskegee Airmen will be at Veteran's Memorial Hall on February 25th from 1:00 pm 3:00 pm.

- 26. Alderman Mark mentioned last Friday night he was the MC of the Haven Network Fundraiser at Forest Hills Country Club. The Haven Network organization provides support to families who are facing a terminal diagnosis of their pre-born or newborn and support to families who have lost a baby.
- 27. Alderman Mark mentioned this Saturday, February 25, 2012 at 4:30 pm will be a press conference at Veteran's Memorial Hall recognizing the Tuskegee Airmen and Montford Point Marines for their contributions and to promote their legacy.

UNFINISHED BUSINESS

2012-051CR

29. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for PCC Patching-Water 2012 be made to the low bidder, TCI Construction, of Rockford, Illinois for their total bid of \$47,305.00. The funding source is Water Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-052CR

30. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Police Tactical Armor be made to the low bidder, Ray O'Herron, of Danville, Illinois for their total bid of \$45,712.00. The funding source is Police Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-053CR

31. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 819 Seminary St. be made to the high bidder, Mary Stout, of Rockford, Illinois for her total bid of \$950.00. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-021-0

32. Alderman Beach moved the adoption of an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all requirements of the Liquor

Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Kassem Nasser Kassem Ahmed d/b/a Kishwaukee Market located at 3002 <u>Kishwaukee Street</u> for the sale of packaged liquor in conjunction with a grocery store in a C-3, Commercial General Zoning District. Approval is subject to the following conditions:

- Meeting all Building and Fire Codes.
- 2. Compliance with all City of Rockford Liquor Codes.
- 3. The hours of operation will be limited to 7:00 am to midnight Monday through Thursday.
- 4. The hours of operation will be limited to 7:00 am to midnight Friday through Saturday.
- 5. The hours of operation will be limited to 7:00 am to 11:00 pm Sunday.
- 6. Staff feels that the gross interior floor square footage for alcoholic sales display area should not exceed 10% (ten percent).
- 7. The amount of alcoholic sales can be no more than 35% of gross annual sales of the business.
- 8. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.
- 9. Window display signage is limited to 30% of window area.
- 10. The sale of rose tubes, airplane-sized bottles and any other produces that can be deemed to be easily manufactured into crack pipes is prohibited.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Timm, Beck, McNeely -10-

Nays: Johnson, Beach -2-Absent: Elyea, Robertson -2-

2012-022-0

33. Alderman Beach moved the adoption of an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Larry Metzger d/b/a ABC Catering located at <u>1355 South Alpine Road</u> for the sale of liquor in conjunction with a full catering service business including off-premise sales in a C-3, Commercial General Zoning District. Approval is subject to the following conditions:

1. There shall be no liquor sales at <u>1355 South Alpine Road</u>.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-023-0

- 34. Alderman Beach moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce the front yard setback along Rockwell Street from the required 25 feet to 12 feet in an R-1, Single-Family Residential Zoning District at 2001 Rockwell Street. Approval is subject to the following conditions:
 - Must be developed in accordance to Exhibit D

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

NEW BUSINESS

- 35. Alderman Beck read an Ordinance authorizing the Mayor and City legal director to enter into a Lease for the acquisition of Fire Apparatus with Oshkosh Capital, of Columbus, Ohio for a fixed rate of 2.24% over the seven year term. LAID OVER.
- 36. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known as 1228, 1232, 1237 Soper Avenue. LAID OVER.
- 37. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known as 4223 Auburn Street, 1205 North Johnston Avenue and 1211 Soper Avenue. LAID OVER.
- 38. Alderman Beach introduced and read an Ordinance for the vacation of property that runs North and South through the block bounded by Elm Street on the North, Chestnut Street on the South, South Court Street on the East and South Winnebago Street on the West. LAID OVER.
- 39. Upon motion duly made and seconded, the meeting was adjourned at 6:49 p.m.

Respectfully submitted,

Diane Reed City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS City Council Chambers, 2ND floor City Hall 425 E. State Street, Rockford February 27, 2012 6:00 P.M. AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees Code and Regulation, Finance and Personnel, Planning and Development and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN FEBRUARY 27, 2012

A. CODE AND REGULATIONS

1. Beach – Settlement - Johnson v. City of Rockford

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER FEBRUARY 21, 2012

- 1. Beach Code and Regulation Recommending the approval of the Final Plat #4 of Church and Roberts Addition.
- 2. Beach Code and Regulation Recommending the approval of the Final Plat #2 of Ashchanjali Subdivision.
- 3. Beach Code and Regulation Recommending the approval of the Westside Subdivision.
- 4. Beach Code and Regulation Recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking 7:00 am 6:00 pm restriction on the east side of Ware Avenue from Argus Drive to Colosseum Drive, thus storing unrestricted parking on the east side of Ware Avenue from Argus Drive to Colosseum Drive and retaining the parking restriction of "No Parking from 7:00 am 6:00 pm" on the west side of Ware Avenue from Argus Drive to Colosseum Drive.
- 5. Beach Code and Regulation Recommending that the Legal Director be instructed to draw an Ordinance for a Thirty Minute Parking restriction on the south side of Chestnut

- Street from Winnebago Street to Court Street, thus repealing the existing Two Hour Parking restriction.
- 6. Beach Code and Regulation Recommending that the Legal Director be instructed to draw an Ordinance restricting parking to Handicapped Parking on the north side of Jefferson Street from 50 feet east of Church Street to 75 feet east of Church Street.
- 7. Beach Code and Regulation Recommending that No Action be taken on the following items:
 - 1. Request from Nick Bowers to establish stop or yield control at the intersection of Liberty Drive and Vermont Street.
- 8. Beach Code and Regulation Recommending that City Council approve the settlement in Cary v. City of Rockford, et al. in the amount of \$85,000 payable in two equal installments with the second installment payable in six months after the first installment with a release to be obtained.
- 9. Beck Finance and Personnel Recommending the award for Sale of Property at 628 Kent Street be made to the sole bidder, Aurelio Delarosa, of Rockford, Illinois for his total bid of \$2,000.00.
- 10. Beck Finance and Personnel Recommending approval of a Sole Source Contract with the Hach Company for Scheduled Inventory Reagent Replacement in an amount not to exceed \$9,904.74 plus shipping. Funding for the project will come from the Water Replacement and Improvement Account (WRIA).
- 11. Beck Finance and Personnel Recommending the Change Order: City-Wide Street Repair #1 be made to Stenstrom Excavation be extended for an additional \$93,462.11 for a new total not to exceed cost of \$415,994.68 for construction services. The funding source is Sales Tax Funds.
- 12. Beck Finance and Personnel Recommending approval of an Engineering Agreement with Baxter & Woodman Consulting Engineers to conduct a SCADA Security Assessment in an amount not to exceed \$23,300. Funding for the project will come from the Water Replacement and Improvement Account (WRIA).

III. ORDINANCES LAID OVER FEBRUARY 21, 2012

- 1. Beck Ordinance Authorizing the Mayor and City legal director to enter into a Lease for the acquisition of Fire Apparatus with Oshkosh Capital, of Columbus, Ohio for a fixed rate of 2.24% over the seven year term.
- 2. Beach Ordinance Annexation of property commonly known as 1228, 1232, 1237 Soper Avenue.
- 3. Beach Ordinance Annexation of property commonly known as 4223 Auburn Street, 1205 North Johnston Avenue and 1211 Soper Avenue.

4. Beach - Ordinance - Vacation of property that runs North and South through the block bounded by Elm Street on the North, Chestnut Street on the South, South Court Street on the East and South Winnebago Street on the West.

IV. MISCELLANEOUS/APPOINTMENTS HELD OUT OVER FEBRUARY 21, 2012

- 1.* Mayor Morrissey Appointment Rockford Housing Authority Board, Mr. Jerry Lumpkins. This appointment fills the position previously vacated by David Sidney and will expire March 1, 2017. (Pursuant to Rule 18 this appointment is up for passage on March 5, 2012)
- Motions and Resolutions
- **V. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).
- * same action taken before
- Adjournment

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE Monday, February 27, 2012, 5:15 p.m. Conference Room A, City Hall 2nd floor (north room) AGENDA

1. Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, February 27, 2012, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

- 1. Purchasing and Vouchers
 - A. Award of Bid: HVAC Services Suspend rules (Laid over 2/21)
 - B. Award of Bid: Electrical Services Suspend rules (Laid over 2/21)

- C. Award of Bid: Plumbing Services Suspend rules (Laid over 2/21)
- D. Award of Bid: Roofing Services Suspend rules (Laid over 2/21)
- E. Award of Bid: Carpentry Services Suspend rules (Laid over 2/21)
- F. Award of Bid: Police Web Gear
- G. Award of Bid: Rental of Cherry Valley Farm Site
- H. Award of Bid: Tires and Tire Repairs
- I. Engineering Agreement: Relocation of Zone Control Valve Station No. 10
- J. Engineering Agreement Amendment: Arterial #2 2011
- K. Engineering Agreement Amendment: 6th Ward Drainage Improvements
- L. Engineering Agreement Amendment: Fire Station #3
- M. Change Order: Arterial #2 2011
- N. Vouchers
- 2. Intergovernmental Agreement: Chicago-Rockford International Airport Eastern Access
- 3. Extension of Non-Home Rule Sales Tax for Infrastructure

PLANNING AND DEVELOPMENT COMMITTEE

Monday, February 27, 2012, ____ p.m. CD Conference Room, City Hall 2nd floor AGENDA

No Meeting Scheduled.

Monday, February 27, 2012, ____ p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

No Meeting Scheduled.